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Express Mail No.: EL 451 597 481 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Seela *et al.*

Group Art Unit: To Be Assigned

Serial No.: 10/070,340

Examiner: To Be Assigned

Based on International Application No.:  
PCT/EP00/08371

International Filing Date: 28 August 2000

Attorney Docket No.: 5265

For: 2-AZAPURINE COMPOUNDS AND THEIR USE

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C.  
371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) mailed by the U.S. Patent and Trademark Office on May 10, 2001, Applicants submit the following documents to complete the filing for the above-identified application:

1. Executed Declaration and Power of Attorney for Patent Application signed by the inventors in compliance with 37 CFR 1.497(a) and (b);
2. Executed Assignment with Recordation Form Cover Sheet; and
3. Return copy of the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US).

Applicants believes that the following fees are due for filing this response.

1. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date: \$130.00

Total Fees Due \$130.00

Should the Commissioner determine that additional fees are payable, he is authorized to charge any required fee, or charge any underpayment or credit any overpayment to Deposit Account No. 16-1150 (order no. 1803-336-999) for any matter in connection with this response which may be required. A copy of this sheet is attached.

Respectfully submitted,

Date: June 4, 2002

  
Rahul Pathak 42,983  
(Reg. No.)

For: Jennifer Gordon (Reg. No. 30,753)  
**PENNIE & EDMONDS LLP**  
1155 Avenue of the Americas  
New York, New York 10036-2711  
(212) 790-9090

Enclosures

06/13/2002 GFREY1 00000051 161150 10070340

01 FC:154 130.00 CH  
02 FC:964 84.00 CH



UNITED STATES PATENT AND TRADEMARK OFFICE



Commissioner for Patents, Box PCT  
United States Patent and Trademark Office  
Washington, D.C. 20231  
www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/070,340 ✓	FIRST NAMED APPLICANT Frank Seela ✓	ATTY. DOCKET NO. 1803-336-999 ✓
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INTERNATIONAL APPLICATION NO.
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PCT/EP00/08371

I.A. FILING DATE 08/28/2000	PRIORITY DATE 08/30/1999
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Rahul Pathak  
Pennie & Edmonds  
1155 Avenue of the Americas  
New York, NY 10036-2711

CONFIRMATION NO. 2412

371 FORMALITIES LETTER



\*OC000000008049528\*

Oath/Decl./Seq. List + Fees: 7/10/02  
Oath/Decl/Seq List + Fees Final: 11/10/02 (M) (JL)  
Date Mailed: 05/10/2002

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Oath or Declaration
- Preliminary Amendments
- Request for Immediate Examination

RECEIVED RECORDS

MAY 20 2002  
RRP-  
& DOCKETING CA OFFICE

REFERRED TO RIVERA REC'D Pathak MAY 17 2002 Pennie & Edmonds O.K. for filing
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The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- \$130 Surcharge for providing the oath or declaration later than the appropriate 30 months from the priority date (37 CFR 1.492(e)) is required.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Additionally the following defects have been observed:

The following items **MUST** be furnished within the period set forth below:

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):
  - This application does not contain a "Sequence Listing" as a separate part of the disclosure on paper copy or compact disc, as required by 37 CFR 1.821(c).
  - A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
  - **APPLICANT MUST PROVIDE:**
    - An initial or substitute computer readable form (CRF) of the "Sequence Listing."
    - An initial or substitute paper copy or compact disc of the "Sequence Listing," as well as an amendment directing its entry into the specification.
- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:
  - For Rules Interpretation, call (703) 308-4216
  - To Purchase PatentIn Software, call (703) 306-2600
  - For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)
- Additional claim fees of **\$84** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$214** for a Large Entity:

- **\$130** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$84**
  - **\$84** for 4 independent claims over 3.
- This application does not contain a "Sequence Listing" as a separate part of the disclosure on paper copy or compact disc, as required by 37 CFR 1.821(c).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

KAREN M WILLIAMS

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Telephone: (703) 305-3688

## PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/070,340	PCT/EP00/08371	1803-336-999

FORM PCT/DO/EO/905 (371 Formalities Notice)